



DEPARTMENT OF ENERGY  
Federal Energy Regulatory Commission

[Project No. 11150-095]

Grand River Power Company, Inc.; Notice of Application for Amendment of License and Request to Permanently Resume Generation, Soliciting Comments, Motions to Intervene, and Protests

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

- a. Type of Proceeding: Application for non-capacity amendment of license
- b. Project No.: 11150-095
- c. Date Filed: March 31, 2021
- d. Licensee: Grand River Power Company, Inc.
- e. Name of Project: Smithville and Mix Hydroelectric Project
- f. Location: The project is located on the Grand River, in the City of Eaton Rapids, in Eaton County, Michigan.
- g. Filed Pursuant to: Federal Power Act, 16 USC 791a - 825r.
- h. Licensee Contact: Roy Davis, Grand River Power Company, Inc., 332 S. Waverly Rd., Eaton Rapids, MI 48827, (616) 318-4191, [wastetoenergy@charter.net](mailto:wastetoenergy@charter.net)
- i. FERC Contact: Christopher Chaney, (202) 502-6778, [christopher.chaney@ferc.gov](mailto:christopher.chaney@ferc.gov)
- j. Deadline for filing comments, interventions, and protests Deadline for filing comments, motions to intervene, and protests: **May 27, 2021.**

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), (866) 208-3676

(toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852. The first page of any filing should include docket number P-11150-095. Comments emailed to Commission staff are not considered part of the Commission record.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

- k. Description of Request: The project consists of two developments – the Smithville Development, which is located about two miles upstream of Eaton Rapids, and the Mix Development, which is located within Eaton Rapids. For both developments, the applicant proposes to modify the elevation datum used to specify the impoundment elevation requirements of Article 402, and to remove the requirement for pre-high flow drawdowns from Article 403. Under the proposed amendment, operations and water levels would not change; however, the elevation datum would change from mean sea level (msl) to the National Geodetic Vertical Datum of 1929 (NGVD29). Additionally, the applicant proposes to ensure passage of the 10-cubic-foot-per-second minimum flow at the Mix Development required by Article 403 by maintaining and monitoring a minimum elevation at the Mix dam. The applicant will continue to maintain and monitor the impoundment elevation required by Article 402 at the Mix powerhouse.

The applicant filed the amendment application in order to resolve the outstanding compliance issues from a November 26, 2014 Order to Cease Generation issued for the project. Therefore, the applicant is seeking authorization to permanently resume generation upon the approval of this amendment application.

- l. Locations of the Application: This filing may be viewed on the Commission's website at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1-866-208-3676 or e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), for TTY, call (202) 502-8659. Agencies may obtain copies of the application directly from the applicant.
- m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

- n. Comments, Protests, or Motions to Intervene: Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214, respectively. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.
- o. Filing and Service of Documents: Any filing must (1) bear in all capital letters the title “COMMENTS”, “PROTEST”, or “MOTION TO INTERVENE” as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person commenting, protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis. Any filing made by an intervenor must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 385.2010.

Dated: April 27, 2021.

Kimberly D. Bose,  
Secretary.

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